

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Mr. Carl T. Thomsen on 07/13/11.

2. **Replace claim 21 with following:** A pressure-sensitive adhesive material or a sealing material which has a three-dimensional structure and a defined cross-sectional contour, wherein said material is present in a form of strings, strands or strips, wherein said strings, strands or strips have a round, semicircular, oval, elliptical, triangular, quadrangular, V-shaped, polygonal or irregular cross-sectional contour and a surface that is bent, curved or provided with edges corresponding to said cross-sectional contour, and wherein said material consists of a polymerizable mass produced by polymerization and said polymerizable mass consists of at least one compound selected from the group consisting of aromatic (meth) acrylates, alicyclic (meth)acrylates, polycyclic (meth) acrylates, heterocyclic (meth) acrylates, and epoxide acrylates, along with at least one compound selected from the group consisting of acrylic acid and methacrylic acid or at least one compound selected from the group

Art Unit: 1788

consisting of vinyl ethers, vinyl esters, and styrene, and a radiation sensitive initiator in an amount ranging from 0.5 to 5% wt. of the polymerizable mass, wherein said radiation sensitive initiator is selected from the group consisting of 2-hydroxy-2-methyl-1-phenyl-1-propanone, 1-hydroxy-cyclohexyl-phenyl-ketone, iodonium, (4-methylphenyl) [4-(2-methylpropyl)-phenyl]hexafluorophosphate(1-), 2-benzyl-2-(dimethylamino)-1-[4-(4-morpholinyl)phenyl]-1-butanone, a mixture of 50%-wt of 1-hydroxy-cyclohexyl-phenyl-ketone and 50%-wt of benzophenone, bis [2,6-difluoro-3-(1H-pyrrol-1-yl)phenyl]titanium, phosphine oxide phenyl-bis-(2,4,6-trimethyl benzoyl and 2-hydroxy-1-[4-2(hydroxyethoxy)phenyl]-2- methyl-1-propanone.

3. Cancel claim 29.

4. In claim 43, delete lines 3-6 which recite "the polymerization of the polymerizable mass consisting of at least one compound selected...vinyl esters, and styrene, and".

5. Cancel claim 47.

6. At page 11, line 16 of specification before paragraph reciting "Fig.1 shows, by means of three examples...", insert --BRIEF DESCRIPTION OF THE DRAWINGS--.

REASONS FOR ALLOWANCE

7. **Claims 21, 22, 24, 27, and 36-45 are allowed.** The following is an examiner's statement of reasons for allowance: the closest prior art to presently claimed invention is Komiyama et al. (US 5118567). Komiyama teaches adhesive tape comprising (meth)acrylate polymer, epoxy resin, and photopolymerizable low molecular weight compound (abstract). Komiyama discloses presence of epoxy resin which is excluded by the claims of the present invention (note "consists of" in claim 21). There is no reason to exclude epoxy resin of Komiyama from the adhesive composition given that based on the disclosure of Komiyama at column 4 lines 15-25 regarding the amount of epoxy resin in the adhesive composition; Komiyama desires presence of epoxy resin in the adhesive composition.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Election/Restrictions

9. Claims 21, 22, 24, 27, and 38-45 are directed to an allowable product. Pursuant to the procedures set forth in MPEP § 821.04(B), claims 36 and 37 are directed to the process of making or using an allowable product, previously withdrawn from consideration as a result of a restriction requirement, mailed on 04/02/07 hereby rejoined and fully examined for patentability under 37 CFR 1.104.

10. Because all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, **the restriction requirement as set forth in the Office action mailed on 04/02/07 is hereby withdrawn.** In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

11. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed on 04/19/11 after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37

Art Unit: 1788

CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/19/11 has been entered.

12. In view of applicant's amendment received on 04/19/11, objection to claim 46 as set forth on page 3, section 7 of Office action (OA) mailed on 10/28/10 is withdrawn.

13. In view of applicant's amendment received on 04/19/11, the 112-first and second paragraph rejections as set forth on in the OA mailed on 10/28/10 are withdrawn.

14. Support for amended claims 21 and 42 is found in the specification as filed.

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANISH DESAI whose telephone number is (571)272-6467. The examiner can normally be reached on Monday-Friday, 9:00AM-5:30PM.

16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alicia Chevalier can be reached on 571-272-1490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 1788

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alicia Chevalier/

Supervisory Patent Examiner, Art Unit 1788

/A. D./

Anish Desai

Examiner, Art Unit 1788

07/13/11